

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

SUMMER INFANT (USA), INC.,

Plaintiff,

-against-

TOMY INTERNATIONAL, INC.,

Defendant.

C.A. No. 17-cv-549-MSM-PAS

**DECLARATION OF JEFFREY K. TECHENTIN IN SUPPORT OF
PLAINTIFF SUMMER INFANT (USA), INC.'S
MOTION IN LIMINE TO PRECLUDE DEFENDANT'S EXPERT
WITNESS, CHARLES MAURO, FROM TESTIFYING**

I, Jeffrey K. Techentin, hereby state and declare as follows:

1. I am a shareholder of Adler Pollock & Sheehan, P.C. and counsel to Plaintiff Summer Infant (USA), Inc. ("Summer Infant") in the above-referenced matter. I make this Declaration on the basis of my personal knowledge.

2. The document provided as Exhibit 1 hereto is a true and correct copy of U.S. Patent No. 6,578,209.

3. The document provided as Exhibit 2 hereto is a true and correct copy of the deposition transcript of Charles L. Mauro.

4. The document provided as Exhibit 3 hereto is a true and correct copy of the letter dated November 14, 2017 from Joseph M. Kuo, Esq. of Saul Ewing Arnstein & Lehr LLP, counsel for TOMY International, Inc. ("TOMY") to Mr. Mark Messner, CEO and President of Summer Infant.

5. The document provided as Exhibit 4 hereto is a true and correct copy of the letter dated November 29, 2017 from Joseph M. Kuo, Esq. of Saul Ewing Arnstein & Lehr LLP, TOMY's counsel to me as Summer Infant's counsel.

6. The documents provided as Exhibit 5 hereto are true and correct copy of TOMY's Responses to Summer Infant's First Set of Interrogatories and TOMY's Supplemental Responses to Summer Infant's First Set of Interrogatories.

7. The documents provided as Exhibit 6 are photographs of the tub that Rodney Voss marked up at his deposition on June 18, 2019. The tub remains in the possession of TOMY's counsel. I took the photographs at the conclusion of the deposition.

8. The document provided as Exhibit 7 hereto is a true and correct copy of the letter dated June 26, 2019 from me as Summer Infant's counsel to Joseph M. Kuo, Esq. of Saul Ewing Arnstein & Lehr LLP as TOMY's counsel.

9. The document provided as Exhibit 8 hereto is a true and correct copy of the deposition transcript excerpts of Rodney Voss dated June 18, 2019.

10. The document provided as Exhibit 9 hereto is a true and correct copy of the expert report of Charles L. Mauro.

11. The document provided as Exhibit 10 hereto is a true and correct copy of the document produced and identified as TI_001616-1632, US Product Quality and Compliance Manual.

12. The document provided as Exhibit 11 hereto is a true and correct copy of the document produced and identified as SI_0000409-420, Supplier Agreement.

13. The document provided as Exhibit 12 hereto is a true and correct copy of an excerpt from the Dictionary of Mathematic Terms, McGraw-Hill, Second Edition, defining angle.

14. The document provided as Exhibit 13 hereto is a true and correct copy of an excerpt from the Dictionary of Mathematic Terms, Barron's Professional Guides, Third Edition, defining angle of inclination.

15. The document provided as Exhibit 14 hereto is a true and correct copy of an excerpt from the Dictionary of Mathematic Terms, Barron's Professional Guides, Third Edition, defining slope.

I declare under penalty of perjury that the foregoing statements are, to the best of my knowledge and belief, true and correct.

Executed this 22nd day of February, 2021, in Providence, Rhode Island.

/s/ Jeffrey K. Techentin
Jeffrey K. Techentin